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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOHNNY BROWN,

15 Defendant.

No. MJ 10-70394 MAJ

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING**

Johnny Brown, by and through Edward W. Swanson, and the United States, by and through Assistant United States Attorney William Frentzen, hereby agree and stipulate as follows:

1) The parties are scheduled to appear before this Court on September 1, 2010 at 9:30 a.m. for arraignment or preliminary hearing.

2) The parties continue to discuss pre-indictment resolution to this matter but require additional time. To allow these negotiations to proceed, the parties request that this matter be continued to September 15, 2010 at 9:30 a.m.

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1 3) The parties agree that the ends of justice served by this continuance outweigh the
2 best interests of the public and the defendant in a speedy trial and therefore request that time be
3 excluded until September 15, 2010 pursuant to 18 U.S.C. § 3161(h)(7).

4

5 IT IS SO STIPULATED.

6

7 Dated: August 31, 2010

/s/
Edward W. Swanson
SWANSON & McNAMARA LLP
Attorneys for JOHNNY BROWN

10 Dated: August 31, 2010

/s/
William Frentzen
Assistant United States Attorney

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14 **ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court finds that the ends
16 of justice served by this continuance outweigh the best interests of the public and the defendant
17 in a speedy trial and therefore orders that time is excluded until September 15, 2010 pursuant to
18 18 U.S.C. § 3161(h)(7).

19 Dated: August 31, 2010


United States Magistrate Court